

Across The Causeway

A Multi-dimensional Study of Malaysia-Singapore Relations

edited by Takashi Shiraishi

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INSTITUTE OF SOUTHEAST ASIAN STUDIES
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CONTENTS

<i>The Contributors</i>	vii
1. Introduction <i>Takashi Shiraishi</i>	1
2. British Policy Across the Causeway, 1942–71: Territorial Merger as a Strategy of Imperial Disengagement <i>A.J. Stockwell</i>	11
3. Politics Divided: Malaysia-Singapore Relations <i>Ooi Keat Gin</i>	27
4. Seeds of Separation <i>Mohamad Abu Bakar</i>	52
5. Political Relations <i>Carlyle A. Thayer</i>	80
6. The Politics of Becoming “Malaysian” and “Singaporean” <i>Albert Lau</i>	92
7. Johor in Malaysia-Singapore Relations <i>Kamarulnizam Abdullah</i>	125
8. Politics and International Relations: The Singapore Perspective <i>N. Ganesan</i>	139
9. Malaysian Constitutional Perspectives on the Admission and Separation of Singapore <i>Abdul Aziz Bari</i>	152
10. Security Relations <i>Carlyle A. Thayer</i>	163

11. Regional Security: The Singapore Perspective <i>N. Ganesan</i>	175
12. Managing the Threats of Muslim Radicalism in Post-September 11 Incidents <i>Kamarulnizam Abdullah</i>	187
13. Economic Relations: Competing or Complementary? <i>Teofilo C. Daquila</i>	200
14. Malaysia-Singapore Economic Relations: Once Partners, Now Rivals. What Next? <i>Mahani Zainal Abidin</i>	231
15. Singapore's Perspective on Economic Relations with Malaysia <i>Linda Low and Lee Poh Onn</i>	250
<i>Index</i>	265

9

MALAYSIAN CONSTITUTIONAL PERSPECTIVES ON THE ADMISSION AND SEPARATION OF SINGAPORE

Abdul Aziz Bari

In recent years there have been many occasions involving spats between Malaysia and Singapore ranging from water agreements to territorial disputes. At the moment it is not easy to deal with them, as facts and documents relating to those disputes are not accessible to the public, and thus they are better left for future scholars to deal with. The admission and later the separation of Singapore are useful in this respect as they will shed some insights over the occasional strained relations between the two sovereign nations.

A constitution of a country is the backbone which forms the foundation for her institutions and authority. It goes without saying that the constitution represents the interests, history, and needs of the people. Even in this modern democratic era where democracy stands at the very heart of a constitutional structure, the peculiarities and uniqueness of the society concerned are still playing the key role. Some of these peculiarities may even stand as the exceptions to democratic principles. There are various grounds of legitimacy to sustain these exceptions even though they may appear as anachronisms to outsiders. One of the grounds that is often cited is to rectify past mistakes or accidents of history, something which may be said of affirmative actions. Other examples include certain veto powers and privileges given to some people or institution. Some of the grounds for these are historical while some others may be cultural or even religious.